

HOUSE BILL 1190

E3
HB 1500/10 – JUD

11r2531
CF SB 890

By: **Delegates Jones, Anderson, Barkley, Braveboy, Burns, Carter, Cullison, Dumais, Frush, Gaines, Griffith, Gutierrez, Guzzone, Haynes, Healey, Hubbard, James, Kaiser, A. Kelly, K. Kelly, Kramer, Lafferty, Lee, Mizeur, Nathan–Pulliam, Pena–Melnik, Proctor, B. Robinson, Rosenberg, Rudolph, Stukes, Tarrant, Valderrama, Waldstreicher, Washington, and Wilson**

Introduced and read first time: February 17, 2011

Assigned to: Rules and Executive Nominations

Re–referred to: Judiciary, February 28, 2011

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2011

CHAPTER _____

1 AN ACT concerning

2 **Child in Need of Supervision Pilot Program – Expansion**

3 FOR the purpose of expanding the Child in Need of Supervision Pilot Program by
4 requiring the Secretary of Juvenile Services to include Cecil County,
5 Montgomery County, and Prince George’s County in the Pilot Program;
6 ~~requiring~~ authorizing the Governor to include a certain general fund
7 appropriation in the budget ~~bill~~ bill for a certain fiscal ~~years~~ year to be
8 provided as grants to Cecil County, Montgomery County, and Prince George’s
9 County to implement the expansion of the Pilot Program; altering a certain
10 definition; providing for a delayed effective date for certain provisions of this
11 Act; and generally relating to the Child in Need of Supervision Pilot Program.

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 3–8A–10.1
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Courts and Judicial Proceedings**

4 3–8A–10.1.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) (i) “Designated assessment service provider” means a
7 community–based provider of assessment, intervention, and referral services to
8 children alleged to be in need of supervision and their parents or guardians.

9 (ii) “Designated assessment service provider” includes county
10 staff, contractors, and resources that may provide assessment, intervention, and
11 referral services to children alleged to be in need of supervision and their parents or
12 guardians.

13 (3) “Pilot community” means:

14 (i) Baltimore City; [or]

15 (ii) Baltimore County;

16 **(III) CECIL COUNTY;**

17 **(IV) MONTGOMERY COUNTY; OR**

18 **(V) PRINCE GEORGE’S COUNTY.**

19 (b) The Secretary of Juvenile Services shall establish a Department of
20 Juvenile Services Child in Need of Supervision Pilot Program in:

21 (1) Baltimore City; [and]

22 (2) Baltimore County;

23 **(3) CECIL COUNTY;**

24 **(4) MONTGOMERY COUNTY; AND**

25 **(5) PRINCE GEORGE’S COUNTY.**

26 (c) (1) The Pilot Program shall select designated assessment service
27 providers in each pilot community.

1 (2) The designated assessment service providers shall be contracted
2 and funded by the local management board of each pilot community.

3 (d) On receipt of a complaint under § 3–8A–10 of this subtitle that alleges
4 that a child in a pilot community is in need of supervision, unless the intake officer
5 concludes under § 3–8A–10(c) of this subtitle that the court has no jurisdiction or that
6 neither an informal adjustment nor judicial action is appropriate, the intake officer
7 shall refer the child and the child’s parents or guardians to a designated assessment
8 service provider for the pilot community before the intake officer may authorize the
9 filing of a petition or peace order request or propose an informal adjustment.

10 (e) A designated assessment service provider shall:

11 (1) Meet with a child referred to the provider and the child’s parents
12 or guardians at least two and not more than six times to discuss the child’s:

13 (i) School performance;

14 (ii) Family interactions;

15 (iii) Relationships with peers; and

16 (iv) Emotional and physical health, including drug and alcohol
17 use;

18 (2) Review all available, relevant records concerning the child,
19 including:

20 (i) Academic records;

21 (ii) Medical records; and

22 (iii) Psychiatric records;

23 (3) Conduct an assessment of the child; and

24 (4) Establish a case plan and a case record for the provision of services
25 to the child, including:

26 (i) Family counseling;

27 (ii) Educational advocacy;

28 (iii) Drug and alcohol counseling;

29 (iv) Sex education;

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- 1 (v) After-school programs;
- 2 (vi) Truancy and dropout prevention;
- 3 (vii) Transitional living services;
- 4 (viii) Mediation services;
- 5 (ix) Employment and job training services;
- 6 (x) Alternative school placement; and
- 7 (xi) Drug and alcohol counseling for the parents, guardians, or
8 other family members of the child.

9 (f) An intake officer may not authorize the filing of a petition or peace order
10 request or propose an informal adjustment for a child alleged to be in need of
11 supervision in a pilot community unless the designated assessment service provider
12 has filed a report with the intake officer stating:

13 (1) The date of the initial meeting with the child and the child's
14 parents or guardians required under this section; and

15 (2) That all attempts to provide assessment, intervention, and referral
16 services have failed.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor ~~shall~~ may
18 include a General Fund appropriation of \$250,000 for the Department of Juvenile
19 Services in ~~each the~~ the budget bill for fiscal year 2013, ~~and fiscal year 2014~~ for the
20 purpose of implementing the provisions of Section 1 of this Act. Of the \$250,000,
21 \$100,000 shall be provided as a grant to Prince George's County, \$100,000 shall be
22 provided as a grant to Montgomery County, and \$50,000 shall be provided as a grant
23 to Cecil County for the purpose of implementing the provisions of Section 1 of this Act.

24 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
25 take effect July 1, 2012.

26 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in
27 Section 3 of this Act, this Act shall take effect October 1, 2011.